IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 23267 of 2006(T)

PETITIONER:

M.C. KURIAKOSE, GOVT.CONTRACTOR,
MOOLAYIL HOUSE, KOKKAPPILLY P.O.,
THIRUVANKULAM-VIA, ERNAKULAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS:

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1. **STATE OF KERALA, REP. BY ITS**
   SECRETARY TO GOVERNMENT, DEPT.OF HEALTH AND
   FAMILY WELFARE, GOVT.SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE EXECUTIVE ENGINEER,**
   P.W.D. BUILDINGS DIVISION, ERNAKULAM.

3. **THE DIRECTOR OF HEALTH SERVICES**
   HEALTH SERVICE DIRECTORATE,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH J.

W.P(C)No.23267 of 2006

Dated this the 14th day of February, 2007

JUDGMENT

Petitioner is aggrieved since the amounts due to him are not paid though the work was executed by him long back. Being a deposit work unless the funds are made available by the 3rd respondent the payments cannot be effected. There will be a direction to the 3rd respondent to look into Exts.P4 and P5 representations filed by the petitioner with notice to him and take appropriate action, if not already taken, and settle the matter within a period of three months from the date of production of a copy of this judgment. The question of interest is left open.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.